

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

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RUTH SMITH, Individually and ad Widow for the
Use and Benefit of herself and the Next of Kin
of RICHARD SMITH, Deceased,

Plaintiff,

No. 3:05-cv-00444

vs.

Judge Aleta A. Trauger

PFIZER INC., PARKE-DAVIS a division of
Warner-Lambert Company and Warner-Lambert
Company LLC, WARNER-LAMBERT COMPANY,
WARNER-LAMBERT COMPANY LLC and
JOHN DOE(S) 1-10,

Defendants.

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MOTION FOR LEAVE TO ATTEND CONFERENCE
VIA TELEPHONE

Kenneth B. Fromson, Esq. respectfully moves this Court for leave to attend the December 10, 2009 conference via telephone. In support of this motion, the applicant states as follows:

1. I practice law at Finkelstein & Partners, LLP, 1279 Route 300, Newburgh, N.Y. 12251. The physical location of my office is in Kingston, New York.
2. On December 4, 2009, I submitted for the Court's consideration my application for admission pro hac vice status. As of this writing, that request remains pending before the Court.
3. Due to client-related matters to which I am committed to attend, my schedule does not allow me to travel to Nashville to participate in person at the conference currently scheduled for December 10, 2009.

4. I am informed that my partner, Andrew G. Finkelstein, will be present at the Court's upcoming conference on December 10, 2009. Mr. Finkelstein has significant personal knowledge of the matters in this action, as well as to the history of the MDL 1629 Neurontin Product Liability Litigation venued in Boston, Massachusetts. However, I believe that my presence by telephone may still prove useful to the parties and the Court, should questions arise regarding either this case-specific action or MDL 1629.

4. I therefore respectfully request that the Court permit me to attend the said conference via telephone.

5. Please note that this motion is on consent of defense counsel, Mark Cheffo, Esq., with whom I communicated prior to making this application.

WHEREFORE, I respectfully request that the Court grant this motion to permit me to attend the December 10, 2009 conference via telephone.

Dated: December 8, 2009.

Respectfully submitted,

s/Kenneth B. Fromson, by CB
Kenneth B. Fromson (#KF8086)
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the forgoing was served via the Court's ecf filing system on this 8th day of December, 2009 on the following:

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Attorneys for Defendants

s/Charles F. Barrett

Charles F. Barrett

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ORDER

The motion of plaintiff's counsel Kenneth B. Fromson, Esq. of the law firm of Finkelstein & Partners, LLP, seeking permission to attend the December 10, 2009 conference via telephone (Docket Entry No.____) is GRANTED.

It is so ORDERED.

Dated this ____ day of December, 2009.

JULIET GRIFFIN
United States Magistrate Judge